

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

*County of Summit, Ohio, et al. v. Purdue
Pharma L.P., et al.*

Case No. 1:18-OP-45090

*The County of Cuyahoga v. Purdue Pharma
L.P., et al.*

Case No. 17-OP-45004

MDL No. 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

**NOTICE OF SERVICE OF MANUFACTURER DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT THAT PLAINTIFFS' STATE-LAW CLAIMS ARE
PREEMPTED AND THEIR FEDERAL CLAIMS ARE PRECLUDED**

Pursuant to the Directions Regarding Filing of Briefs Under Seal, ECF No. 1719, Manufacturers¹ hereby provide notice that on June 28, 2019, they served unredacted copies of the following documents on all Parties, the Court, and the Special Masters:

¹ "Manufacturers" refers to Purdue Pharma, L.P., Purdue Pharma, Inc., The Purdue Frederick Company, Inc., Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc., Par Pharmaceutical Companies, Inc. (incorrectly named as "Par Pharmaceutical Companies, Inc. f/k/a Par Pharmaceutical Holdings, Inc."), Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica, Inc. n/k/a Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., n/k/a Janssen Pharmaceuticals, Inc., Johnson & Johnson, Noramco, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc, Cephalon, Inc., Allergan plc f/k/a Actavis plc, Allergan Finance, LLC, f/k/a Actavis, Inc., f/k/a Watson Pharmaceuticals, Inc., Allergan Sales, LLC, Allergan USA, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc, Mallinckrodt, plc, Mallinckrodt LLC, SpecGx LLC, Allergan Sales, LLC, Allergan USA, Inc., Warner Chilcott Company, LLC, Actavis South Atlantic LLC, Actavis Elizabeth LLC, Actavis Mid Atlantic LLC, Actavis Totowa LLC, Actavis Kadian LLC, Actavis Laboratories UT, Inc. f/k/a Watson Laboratories, Inc.-Salt Lake City, and Actavis Laboratories FL, Inc., f/k/a Watson Laboratories, Inc.-Florida. Teva Pharmaceutical Industries Ltd., Allergan plc, and Mallinckrodt plc are respectively an Israeli corporation, Irish holding company, and Irish company that are not subject to and contest personal jurisdiction for the reasons explained in their pending motions to dismiss for lack of personal jurisdiction; they are specially appearing to join this motion as a result of the Court's deadline to file dispositive and Daubert motions, and, thus, they do not waive and expressly preserve their pending personal jurisdiction challenges. On June 10, 2019, Insys Therapeutics, Inc. and its affiliates each filed a voluntary case under chapter 11 of United States Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware, which cases are being jointly administered under Case No. 19-11292 (KG). In light of this bankruptcy proceeding, Insys does not join any of the Daubert motions or summary judgment motions to be filed in the MDL Track One cases.

- Manufacturer Defendants' Motion for Summary Judgment That Plaintiffs' State-Law Claims are Preempted and Their Federal Claims are Precluded;
- Memorandum of Law in Support of Manufacturer Defendants' Motion for Summary Judgment That Plaintiffs' State-Law Claims are Preempted and Their Federal Claims are Precluded;
- The Declaration of Jonathan L. Stern in Support of Manufacturer Defendants' Motion for Summary Judgment That Plaintiffs' State-Law Claims are Preempted and Their Federal Claims Are Precluded;
- Summary Sheet of Issues Raised in Manufacturer Defendants Motion for Summary Judgment That Plaintiffs' State-Law Claims Are Preempted and Their Federal Claims Are Precluded (Exhibit A hereto); and
- [Proposed] Order Granting Manufacturer Defendants' Motion For Summary Judgment That Plaintiffs' State-Law Claims are Preempted and Their Federal Claims are Precluded.

Dated: June 28, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2019, a copy of the foregoing Notice of Service of and Sealing to Preserve Confidential Information in Manufacturer Defendants' Motion for Summary Judgment that Plaintiffs' State-Law Claims Are Preempted and Their Federal Claims Are Precluded has been served on the Parties, the Court, and the Special Masters pursuant to the Directions Regarding Filing of Briefs Under Seal (ECF No. 1719).

Dated: June 28, 2019

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